

# RADON LEASE ADDENDUM

Section 29-35E of the Montgomery County Code requires radon testing in certain multifamily and single-family rental housing, and disclosure and mitigation of radon hazards above a certain action level (in excess of 4 pCi/L).

## Applicability

This provision applies **specifically** to all ground-contact or basement units of a residential rental in a single-family home or multifamily dwelling unit (this includes condominiums).

## Required Testing

The landlord must conduct a radon test before leasing a unit to a prospective tenant within three years before the date of the lease. The landlord is responsible for the cost of testing.

This addendum certifies that the tenant(s) received:

- A copy of radon test results indicating any concentration of radon is below the EPA's recommended action level (attached); *Initial(s)* \_\_\_\_\_
- The test was performed less than three years before the date of the lease; and
- A copy of the EPA's pamphlet – *A Citizen's Guide to Radon* via
  - electronic link or  hard copy (if requested by the tenant). *Initial(s)* \_\_\_\_\_

[https://www.epa.gov/sites/default/files/2016-12/documents/2016\\_a\\_citizens\\_guide\\_to\\_radon.pdf](https://www.epa.gov/sites/default/files/2016-12/documents/2016_a_citizens_guide_to_radon.pdf)

## Existing Tenants

Tenant(s) have the right, at their expense, to conduct a test or hire a professional to do so. If the test results indicate that a radon hazard is present at a level of 4 pCi/L or higher, the tenant(s), within 14 days, must notify the landlord in writing and provide a copy of those test results. The landlord must perform a follow up test in accordance with EPA standards. Within 90 days after a confirmed test higher than 4 pCi/L, the landlord must mitigate the premises to reduce radon below the action level of 4 pCi/L and provide the tenant with a final copy of third-party professional test results.

In the case of an existing tenant with a positive reading in excess of 4 pCi/L, the tenant(s) has right to terminate a lease if the landlord fails to mitigate in accordance with Chapter 29-35(f), without loss of security deposit or any other financial penalty. If exercising this option, the tenant must provide, in writing, to the landlord a notice of the intent to terminate and vacate premises. The notice may be effective either immediately upon receipt by the landlord, or as agreed upon by both parties, to allow the tenant time to find alternative housing.

***By my signature below, I acknowledge that I have read and understood my rights as stated above and received copies of both a radon test less than three years old and the radon pamphlet or access to the link.***

Tenant \_\_\_\_\_

Date \_\_\_\_\_

Tenant \_\_\_\_\_

Date \_\_\_\_\_